



NCTA

NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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March 19, 2003

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: MB Docket No. 02-52

Dear Ms. Dortch:

On March 14, 2003, Daniel L. Brenner, (NCTA Senior Vice President, Law & Regulatory Policy), Howard J. Symons (Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC) and I met with Matthew Brill, Senior Legal Advisor to Commissioner Abernathy. We discussed issues and arguments raised in NCTA's comments and ex parte letters in the above-referenced proceeding. In particular, we discussed the reasons why the Commission should not regulate the provision of cable modem service even if it had jurisdiction to do so (which it does not).

Respectfully submitted,

/s/ Michael S. Schooler

Michael S. Schooler

cc: Matthew Brill